

FILED

(4)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

SEP 25 2024  
U.S. DISTRICT COURT  
BAY CITY, MICHIGAN

UNITED STATES OF AMERICA,  
Plaintiff,

Case: 1:24-cr-20536  
Judge: Ludington, Thomas L.  
MJ: Morris, Patricia T.  
Filed: 09-25-2024  
USA IND V. FOUNTAIN (TT)

v.

DAMIEN P. FOUNTAIN,  
a.k.a. Damien P. Fountain, Jr.,  
Defendant.

Violation:  
21 U.S.C. § 841(a)  
18 U.S.C. § 922(g)(1)

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## INDICTMENT

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### THE GRAND JURY CHARGES:

#### COUNT ONE

#### **Possession with Intent to Distribute Fentanyl 21 U.S.C. § 841(a)(1)**

On or about August 8, 2024, in the Eastern District of Michigan, DAMIEN FOUNTAIN knowingly possessed with the intent to distribute a mixture or substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

**COUNT TWO**  
**Possession with Intent to Distribute Methamphetamine**  
**21 U.S.C. § 841(a)(1)**

On or about August 8, 2024, in the Eastern District of Michigan, DAMIEN FOUNTAIN, knowingly possessed with the intent to distribute a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

**COUNT THREE**  
**Felon in Possession of a Firearm**  
**18 U.S.C. § 922(g)(1)**

On or about August 8, 2024, in the Eastern District of Michigan, DAMIEN FOUNTAIN, knowing he had been previously convicted of an offense punishable by a term of imprisonment exceeding one year, knowingly possessed, in and affecting commerce, a firearm, that is, a Glock, Model 27, .40 caliber, semi-automatic pistol, and a Ruger, 9mm, semi-automatic pistol, in violation of Title 18, United States Code, Section 922(g)(1).

**FORFEITURE ALLEGATIONS**  
**18 U.S.C. § 924(d)(1)**

The allegations contained in Count Three of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1).

Upon conviction of an offense charged in Count Three of this Indictment, DAMIEN FOUNTAIN shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), any firearm or ammunition involved in said offenses including but not limited to a Glock, Model 27, .40 caliber, semi-automatic pistol, and a Ruger, 9mm, semi-automatic pistol.

**THIS IS A TRUE BILL.**

*s/Grand Jury Foreperson*

GRAND JURY FOREPERSON

Dated: September 25, 2024

DAWN N. ISON  
United States Attorney

*s/Anthony P. Vance*

ANTHONY P. VANCE  
Assistant United States Attorney  
Chief – Branch Offices

*s/Katharine Hemann*

KATHARINE HEMANN  
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**Companion Case information MUST be completed by AL**United States District Court  
Eastern District of Michigan**Criminal Case Cov**Case: 1:24-cr-20536  
Judge: Ludington, Thomas L.  
MJ: Morris, Patricia T.  
Filed: 09-25-2024  
USA IND V. FOUNTAIN (TT)

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to comply with all applicable rules and regulations.

<b>Companion Case Information</b>		<b>Companion Case Number:</b>
This may be a companion case based upon LCrR 57.10 (b)(4) <sup>1</sup> :		Judge Assigned:
<input type="checkbox"/> Yes	X No	AUSA's Initials: KH

**Case Title:** USA v. Damien Fountain**County where offense occurred:** Saginaw County**Check One:** X Felony     Misdemeanor     Petty

Indictment/ \_\_\_\_\_ Information --- no prior complaint.  
 Indictment/ \_\_\_\_\_ Information --- based upon prior complaint [Case number: \_\_\_\_\_]  
 Indictment/ \_\_\_\_\_ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

**Superseding Case Information****Superseding to Case No:** \_\_\_\_\_ **Judge:** Thomas L. Ludington

Corrects errors; no additional charges or defendants.  
 Involves, for plea purposes, different charges or adds counts.  
 Embraces same subject matter but adds the additional defendants or charges below:

**Defendant name****Charges****Prior Complaint (if applicable)**

**Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.**

Date: September 25, 2024

s/Katharine Hemann

Katharine Hemann

Assistant United States Attorney

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Attorney Bar #: WSBA# 46237

<sup>1</sup> Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.